

**Joint Leadership Council of Veterans Service Organizations**  
**Meeting Minutes**  
**March 25, 2009**

A meeting of the Joint Leadership Council of Veterans Service Organizations (JLC) was held on March 25, 2009, at the American Legion Department of Virginia Building, 1708 Commonwealth Avenue, Richmond.

**Members Present**

- Mason Botts, *Air Force Association*
- Robert Gray, *American Ex-POWs*
- Connie O'Neill, *American Legion*
- James Aucoin, *AMVETS*
- Samuel Wilder, *AUSA*
- Daniel Miller, *Disabled American Veterans*
- John Dozier, *Korean War Veterans Association*
- Richard Rinaldo, *Legion of Valor*
- John Bonnell, *Marine Corps League*
- Norman Jasper, *Military Order of the Purple Heart*
- Wes Edwards, *MOAA*
- Bill Townsley, *MOWW*
- Frank Driscoll, *Navy Seabee Veterans of America*
- Richard Schneider, *Non-Commissioned Officers Association*
- Thomas Stephen, *Reserve Officers Association*
- Mike Coleman, *Virginia National Guard Association*
- Daniel Boyer, *Veterans of Foreign Wars*
- Jenny Holbert, *Women Marines Association*
- Paul Galanti, *Chairman of the Board of Veterans Services*
- Vince Burgess, *Commissioner of Veterans Services*

**Members Absent**

- Thomas Snee, *Fleet Reserve Association*
- David Ellis, *NAUS*
- John Jackson, *Paralyzed Veterans of America*
- Frank Sherman, *Roanoke Valley Veterans Council*
- Michala Smith, *WAVES*
- Frank Wickersham, *Veterans Services Foundation*

**Alternates Present (representing their Veterans Service Organization)**

- David Coffield, *Paralyzed Veterans of America*
- Dan Karnes, *Roanoke Valley Veterans Council*

### **Alternates Present (not representing their VSO)**

- Philip Stoneman, *AUSA*
- Bruce Steeley, *Marine Corps League*
- Pete Fairchild, *Military Order of the Purple Heart*
- Don Kaiserman, *MOAA*
- John Velleca, *Virginia National Guard Association*

### **Commonwealth of Virginia Officials Present**

- Stephen Parker, *Office of the Secretary of Public Safety*
- Don Ferguson, *Office of the Attorney General*
- Jon Hatfield, *Virginia War Memorial*
- Anne Atkins, *Department of Veterans Services*
- Steven Combs, *Department of Veterans Services*
- Jack Hilgers, *Department of Veterans Services*
- Danielle Weaver, *Department of Veterans Services*
- Judy Reid, *Department of Veterans Services*

### **Others Present**

- Tim Bass, *Bass 'Emprise, LLC*
- George Corbett, *Vietnam Veterans of America*
- Julie Gifford, *DoD State Liaison Office*
- Jeff Gregoire, *EquaTerra*
- Paul Hinkhouse, *USDOL/VETS*
- Harry Warner, *Virginia War Memorial Education Foundation*

### **Agenda Packet**

- Agenda
- Board of Veterans Services Report to the JLC
- Veterans Services Foundation Report to the JLC
- Department of Veterans Services Report to the JLC
- Copy of HB1875
- Copy of Budget Item C-5.20 #1c
- Missing in America Project Report
- Two articles on Veterans Court
- Discussion Document for UC in Virginia (Julie Gifford)
- Estimated Costs for Unemployment Compensation Benefits for Military Spouses in Virginia

### **Additional Handouts**

- Expand Unemployment Compensation for Trailing Military Spouses
- Press Release – “Hamilton to Organize Local Military/Veterans Advisory Council”
- JLC 2009 Legislative Objectives Summary as of 3/25/09
- Missing in America Project Brochure

- Automated Veterans Benefits Claims Process RFI Summary Sheet
- Code of Virginia §2.2-2682, JLC Powers and Duties

### **Opening and Pledge of Allegiance**

Chairman Boyer called the meeting to order at 10:00 a.m. and led the Council in the Pledge of Allegiance.

### **Roll Call of VSOs and Quorum Determination**

Eighteen of 23 Veterans Service Organizations (VSOs) represented on the JLC were recorded as being represented (17 by a primary member and 1 by an alternate member), and a quorum was determined. The Commissioner of Veterans Services and the Chairman of the Board of Veterans Services were recorded as present. Frank Driscoll and David Coffield arrived shortly after the start of the meeting, bringing the total number of VSOs represented to 20 (18 primary and 2 alternate members).

### **Guest Introductions**

Don Kaiserman introduced Julie Gifford of the DoD State Liaison Office. Ms. Gifford worked very closely with the JLC on the Interstate Compact on Educational Opportunities for Military Children bill (HB1727), which has passed both the House and Senate but has not yet been signed by the Governor. Ms. Gifford thanked the JLC members for assistance.

Mike Coleman was to introduce VNGA President-Elect Danny Jones, but unfortunately Mr. Jones was unable to attend the meeting, as he works full time for the National Guard.

Steven Combs introduced George Corbett, Secretary of the Vietnam Veterans of America Virginia State Council. Mr. Combs explained that the VVA will be joining the JLC after July 1<sup>st</sup>.

Norman Jasper introduced his alternate, Pete Fairchild. Mr. Fairchild was welcomed to the committee.

### **Changes to the agenda**

Chairman Boyer noted that there were two changes to the agenda. He said that Tim Bass of Bass' Emprise would speak on the Automated Claims System and that Ms. Gifford would give a presentation on unemployment compensation for military spouses. The change to the agenda was approved unanimously.

### **Review and Approval of December 18, 2008 meeting minutes**

Chairman Boyer asked if there were any corrections to the draft minutes of the December 18, 2008 meeting. There were no changes and the minutes were adopted without change by unanimous consent.

## **Reports**

### **Board of Veterans Services Report**

BVS Chairman Paul Galanti delivered the report of the Board of Veterans Services, which is included as Attachment 1 to these minutes.

Mr. Galanti praised the Council for its exceptional efforts during the 2009 General Assembly session and specifically noted the efforts of Mr. Wilder and Mr. Kaiserman. Mr. Galanti noted that some DVS budget cuts had been restored and that funding for the Automated Claims System was expanded due to the hard work of the Council.

### **Veterans Services Foundation Report**

Chairman Boyer noted that VSF Chairman Frank Wickersham could not attend the meeting, but that the VSF report to the JLC was included in the agenda packet. The VSF report is included as Attachment 2 to these minutes.

Chairman Boyer noted that DVS and VSF had recently signed an MOU and that \$78,000 had been donated as of March 4, 2009 in support of the Virginia Wounded Warrior Program (VWWP).

### **Department of Veterans Services Report**

Commissioner Vince Burgess delivered the report of the Department of Veterans Services, which is included as Attachment 3 to these minutes.

Commissioner Burgess briefly highlighted the VWWP and noted that the grants are currently being reviewed. He said that about \$1.7 million will be distributed around April 1<sup>st</sup> and that Anne Atkins will do a press release based on this.

### **Automated Veterans Benefits Claims Process**

Commissioner Burgess introduced Mr. Bass, owner of Bass' Emprise, LLC, and Jeff Gregoire of EquaTerra. They will both be developing a Request for Information (RFI) with a committee that will help explain what automated systems are out there, who can provide the programs and how much money the program will cost to electronically prepare veterans' disability claims. The question on the table is the money: \$50,000 has been restored to the DVS budget this year plus an additional \$100,000 was appropriated for the FY10 budget. Commissioner Burgess has sent out letters to three VSOs that provide claims processing requests, asking that each of them provide a representative to sit on a team with Mr. Bass. Also, Mr. Galanti and Mr. Dan Miller were asked to also sit on the team as well as the VA Regional Director. Mr. Bass distributed an RFI Summary Sheet (see Attachment 4). Mr. Bass briefly reviewed a bio on himself and Mr. Gregoire. Mr. Bass then reviewed the RFI process and how it will benefit the organization. He said that there is basically a three step process: create, execution, evaluation of the RFI.

### **Virginia Citizen-Soldier Support Council Report**

Tom Stephen, JLC Representative to the Virginia Citizen-Soldier Support Council (VCSSC), reported that the VCSSC has not met since December 4, 2008 meeting and therefore he did not have a report. Mr. Stephen said he will have a report at the next meeting.

### **Virginia War Memorial**

Jon Hatfield thanked the JLC for their support during the General Assembly session. He said that \$500,000 was added to the Galanti Education Center project, and that KBS has been selected as the construction company. He noted that the War Memorial staff has moved from trailers into the VHDA building next door to the Memorial. He added that none of the educational programs have been stopped during the construction process. Mr. Hatfield said that two new "Virginians at War" films, designed for use in middle and high schools, will be distributed statewide at no cost to the schools or the tax payers. He stated that House Bill 1875, co-patron by Delegate Vivian Watts and Delegate John Cosgrove, passed the General Assembly. Mr. Hatfield concluded by thanking Commissioner Burgess and his staff for their help the transition from the Department of General Services to the Department of Veterans Services. Chairman Boyer pointed out that there is a copy of HB1875 was included in the agenda packet.

### **Old Business**

#### **Missing in America Project**

John Bonnell delivered a report on the Missing in America Project (MIAP), which is included as *Attachment 5*. Mr. Bonnell explained that the DVS is preparing an MOU with the Virginia Funeral Directors Association (VFDA) and the Virginia MIAP that will set the ground rules for the turn over, transportation, and internment of unclaimed cremains.

#### **Veterans Court**

Bill Townsley reviewed the two articles on Veterans Court, included as *Attachment 6*. Mr. Townsley noted that some state courts have a separate docket for veterans, and that a U.S. Department of Veterans Affairs representative can be in court to provide information on resources available to veterans. He said that Virginia does not have a separate court or docket for veterans, but that he would like to see separate courts and/or dockets put in place. Discussion ensued, with the members asking Mr. Townsley questions about Veterans Courts and voicing their support for the concept. Chairman Boyer said he believes this is something the General Assembly can act on. The members noted that there would likely be some costs associated with establishing a separate court or docket, but that keeping veterans out of jail and get them into appropriate treatment programs would provide a great cost savings for the Commonwealth.

#### **JLC support of Virginia Wounded Warrior Program**

Jack Hilgers stated the VSOs represented on the JLC had donated almost \$27,000 in support of the VWWP, and that an additional \$4,000 had been pledged. He said that overall, approximately \$80,000 had been donated to date, but that the fundraising effort is approximately \$30,000 behind where it should be at this stage. In response to several questions, Mr. Hilgers reiterated the need for the JLC to support the VWWP, because the amount appropriated by the state is insufficient to meet VWWP needs, the VWWP fundraising initiative was first proposed by the JLC, and the state picked up on the JLC fundraising proposal and required fundraising as a condition of the program. If there is 100% participation from this organization, then the JLC will maintain its credibility. Chairman Boyer emphasized the need for all VSOs represented on the JLC to support the VWWP, no matter how small the donation.

Mr. Jasper said that the Virginia Department of the Military Order of the Purple Heart (MOPH) will meet on May 23 and that he will bring up the need to support the VWWP. He said that MOPH should be able to donate at least \$1,000 and that the Department will request National MOPH to add VWWP to its allocation of funds for Virginia on a recurring basis.

Mr. Bonnell presented Commissioner Burgess with a \$1,000 check from Marine Corps League, and added that funds had been donated by the MCL detachments statewide.

Mr. Botts presented Commissioner Burgess with a personal check and stated that the Air Force Association state office has pledged \$500 for VWWP and has challenged the Virginia chapters to contribute.

Mr. Wilder asked if businesses were being asked to contribute, and if so, how much they had donated. Mr. Hilgers responded that some corporations had been contacted, and added that approximately \$11,000 had been pledged by a corporation in Northern Virginia and a church in Virginia Beach. Chairman Boyer noted that the VSF is developing a power point presentation to use in meetings with potential donors.

The Council took a break between 11:05 a.m. and 11:10 a.m. while the tape was changed.

#### **JLC 2009 Legislative Objectives/Process**

Chairman Boyer then thanked Mr. Wilder on his work on the Automated Claims System bill (HB1732) and thanked Mr. Wilder and Mr. Kaiserman for their work on the Interstate Compact bill (HB1727).

Chairman Boyer thanked everyone that attended the JLC Conference at the General Assembly, singled out Mr. Hilgers for organizing the Conference, and asked him to give a brief summary of the highs and lows of the Conference.

Mr. Hilgers responded by saying that one of the key issues is flexibility. He expressed his concern that some rooms in the General Assembly Building (GAB) had been double booked on January 19, and said that he hoped that would not be the case at next year's Conference, which will be held January 18<sup>th</sup>, 2010. He noted that like this year, next year's Conference will be held on the Martin Luther King Jr. holiday, which unfortunately means that the GAB will be crowded. Mr. Hilgers stated that Conference attendance was good, but should have been better, and that DAV, VNGA, and AUSA all had good turnouts. He asked the Council members to put the 2010 Conference on their calendars and make plans to attend.

Chairman Boyer also recognized the American Legion, VFW and MOAA for their separate "Day on the Hill" events, noting that they were very successful. Mr. O'Neill stated that 150 Legionnaires attended the American Legion Day on the Hill event.

Mr. Botts shared his concerns about the VSOs presenting legislative objectives that are different from those of the JLC. Chairman Boyer responded that the American Legion, VFW, and MOAA all advocated for the six JLC Legislative Objectives. He said that while the VFW had one

additional objective, it was presented as the VFW's #7 priority. He added that this objective concerned the placement of names at the Virginia War Memorial.

Commissioner Burgess thanked Mr. Combs and Mr. Hilgers for their efforts on behalf of the JLC during the 2009 session, and echoed the sentiment that teamwork is the key to success.

Chairman Boyer reiterated the need for teamwork, and asked Mr. Combs to provide an overview of the JLC 2009 Legislative Objectives, concentrating on the bills that did not pass the General Assembly, and for the sponsors of the bills that did pass the General Assembly to provide an account of the reasons for the bill's successful passage.

Mr. Combs drew the members' attention to the JLC 2009 Legislative Objectives Summary, included as Attachment 7 to these minutes. He covered the two objectives that were unsuccessful:

- JLC Objective 3: Burial Vaults for State Veterans Cemetery. Mr. Combs stated that Senator Edwards submitted SB1512 in support of this objective. He noted that while the bill passed the Senate unanimously, Senator Edwards' budget amendment request was not included in the Senate's version of the budget. Mr. Combs said that when the bill came before the House Appropriations Committee, several of the members objected to the bill because there was no accompanying budget amendment. He voiced his opinion that the House members seemed to favor the concept of the bill, but objected to it because it had not been funded. Chairman Boyer added that VFW member Charlie Absher represented the VFW and the JLC at the committee meetings where SB1512 was heard.
- JLC Objective 4: Military Family Relief Fund. Mr. Combs said that two bills – HB2414 (Bouchard) and HB2512 (Marsden) had been submitted in support of this objective, but that the bills were left in the House Finance Committee. He voiced his opinion that these bills were not heard because they involved a revenue reduction, and, no matter how small, revenue reduction bills were not considered by House Finance this session.

Mr. O'Neill noted that even though Mr. Combs' summary sheet said that HJ727 – the Homeless Veterans Study – had been left in committee, the study was still going to be completed thanks to the efforts of Delegate Kirk Cox, the Chairman of the Joint Legislative Audit and Review Commission (JLARC). He noted that Delegate Cox sent a letter to the JLARC Director, requesting that JLARC complete the study and report by June 30, 2010.

Chairman Boyer then asked the sponsors of JLC Objectives 1, 2, and 5 to review their objectives.

Mr. Wilder reviewed JLC Objective 1: Automated Claims System. He explained that HB1732 (Cox), as passed by the General Assembly, differed from what had been requested by the JLC. He said that the JLC had originally requested full funding, but that when it became known that this would not happen, the JLC had worked with Delegate Cox on a revised bill, one that would direct development of the system to proceed, but that would allow DVS to accept non-general funds if available. He noted that the bill was successful because of the support of the patron, the support of the JLC, and the flexibility of both parties. He added that \$50,000 had been restored to the DVS budget in FY09 to continue development, and that an additional \$100,000 had been added in FY10.

Mr. Kaiserman reviewed JLC Objective 2: Interstate Compact. He explained that the JLC worked closely with the DoD State Liaison Office on HB1727 (Cole). He noted how JLC and VSO members attended all hearings on this bill and worked behind the scenes to win the support of key legislators. He added that \$200,000 was approved to implement the Interstate Compact in Virginia – almost three times the amount that the JLC estimated would be required. Mr. Wilder added his thanks to the DoD State Liaison Office and for the members of the American Legion who attended the committee hearings on HB1727.

Mr. Miller discussed JLC Objective 5: Real Estate Tax Relief. He noted that four resolutions had been submitted in support of this objective: HJ646 (O'Bannon), HJ669 (Janis), SB275 (Puller/Reynolds), and SJ304 (Stuart). He added that the four resolutions were consolidated into two – HJ648 and SJ275 – which passed the General Assembly in identical form. He stated that this was step one of a three step process, and that identical resolutions would have to pass the 2010 before going to the voters in 2010. Only if the voters approved the measure would it become law.

The Council took a lunch break between 12:00 p.m. and 12:30 p.m.

Mr. Combs introduced Danielle Weaver, who works in Commissioner Burgess' office; Paul Hinkhouse, the Virginia Director for the US Department of Labor's Veterans Education and Training Service; and Stephen Parker, with the Office of the Secretary of Public Safety.

Chairman Boyer concluded the discussion of the JLC 2009 Legislative Objectives by asking Mr. Combs to do a brief review on "What went right and what went wrong."

Mr. Combs thanked those members who had contributed material for the after-action review. He singled out Mr. Wilder and Mr. Kaiserman for their very detailed submissions, and noted that his summary would be drawn primarily from their comments. Mr. Combs summarized the comments received:

- Attendance is a major factor – the JLC had representatives at the key committee meetings, but numbers count, and the more veterans in the audience, the better
- It is essential to get information on the JLC Legislative Objectives to the Governor and General Assembly as early as possible
- Getting to know the legislative process, and your legislators, pays great dividends
- The JLC generally spoke as one voice, and got results. However, some members of VSOs raised questions with legislators in the middle of the process, and this confused matters. The time for debate is before the objectives are adopted. Afterwards, the veterans must speak as one voice
- The position of the Governor on JLC issues was unclear. The JLC should meet with the Governor or his representatives early to make sure the Governor is fully informed on JLC issues, and that the JLC understands the Governor's position



## **New Business**

### **JLC Powers, Duties, and Structure review**

Chairman Boyer reviewed the JLC Powers and Duties set forward in the Code of Virginia. A copy of the Powers and Duties is included as Attachment 8. Chairman Boyer pointed out that the JLC is only exercising some of its powers and duties. Chairman Boyer appointed a committee, lead by Vice Chair Jenny Holbert, to study ways for the JLC to meet all of its powers and duties. Chairman Boyer appointed Mr. Botts and Mr. Ellis to the committee, and asked the committee to report back at the next meeting. Chairman Boyer asked all JLC members to review the JLC Powers and Duties and to contact the committee with suggestions or comments. Vice Chair Holbert and Mr. Botts accepted the challenge.

### **Appointments of Nominating Committee**

Chairman Boyer appointed Mr. Wilder to lead the JLC Nominating Committee, and appointed Mr. O'Neill and Mr. Miller as committee members. The committee members gladly accepted. Chairman Boyer asked the committee to submit its nominees for Chairman and Vice Chairman at the next meeting. Mr. Combs pointed out that there only were eight JLC primary members who will remain as primary after June 30, 2009 and that the Nominating Committee should recognize the situation when considering nominations.

### **JLC 2010 Legislative Objectives**

Chairman Boyer asked that all Council members report their VSO's preliminary legislative objectives at the next meeting. He added that the JLC will do a preliminary screening of the objectives. As in the past, the list of proposed objectives will be reduced to 5 to 7 legislative objectives for the 2010 General Assembly. Chairman Boyer noted that several items that did not pass the 2009 General Assembly would be good candidates for 2010.

Mr. Hilgers said that consideration also should be given to continued funding for VWWP and the automated claims system and continued support for tax relief for 100% disabled veterans that must pass the General Assembly again next year.

### **Expand Unemployment Compensation for Military Spouses**

Ms. Julie Gifford of the DoD State Liaison Office made a presentation on Expanding Unemployment Compensation for Military Spouses, which is included as Attachment 9. She noted that the Commonwealth of Virginia is one of seven states that do not support offering unemployment compensation to military spouses who lose their jobs when their spouse is transferred.

The Council members discussed this issue at some length. Mr. Wilder asked Ms. Gifford to contact other states and get specific information on how bills offering the benefit were enacted in other states.

Discussion turned to other issues. Commissioner Burgess asked the Council members to send any suggestions, comments, or questions to Ms. Atkins to improve the DVS website. He noted that Ms. Atkins is always updating and improving the DVS website.

The Council members briefly discussed the Federal Economic Stimulus, and asked Commissioner Burgess if DVS would receive any stimulus funds. He responded that DVS had identified several grant opportunities in the stimulus bill and had submitted its proposals to the Governor's office.

Mr. Miller mentioned that Delegate Philip Hamilton is becoming more involved with military and veterans issues, and distributed a press release titled "Hamilton to Organize Local Military/Veterans Advisory Council." Mr. Townsley noted that he would be serving on Delegate Hamilton's council and Mr. Rinaldo indicated that he also would be on the council. Chairman Boyer reiterated that that Council members should not hesitate to approach their Senators and Delegates to keep them informed on veterans issues.

### **Public comment period**

There was no public comment

Mr. Combs reminded the Council that a letter will be sent to the State Commanders of the VSOs represented on the JLC. The letters will note that the terms of all VSO representatives are up on June 30, and will request that the VSO 1) nominate a new representative, or 2) if the current representative is eligible for reappointment and the VSO wishes to do so, to nominate the current representative for reappointment. Mr. Combs noted that if new representatives had not been appointed by July 1 the current Council would continue to serve until one is appointed. He also indicated that nothing precluded alternates from being appointed as primary members and that current primary members could become alternates. This would reinforce continuity on the Council.

The Council took a break between 1:32 p.m. and 1:37 p.m. while the tape was changed.

### **Preparation for May 20 meeting**

Chairman Boyer asked that the appointed committees complete all assigned tasks prior to the May 20 meeting. He also asked all Council members to prepare position papers for their proposed legislative objectives.

Mr. Hilgers reminded everyone that he has VWWP and the VSF handouts available for anyone that needs them.

### **Adjournment**

There being no further business, the Council adjourned at 2:15.

## **ATTACHMENT 1**

### **BOARD OF VETERANS SERVICES REPORT TO JOINT LEADERSHIP COUNCIL OF VETERANS SERVICE ORGANIZATIONS March 25, 2009**

The Board of Veterans Services met on January 12, 2009. At the meeting, the BVS:

- Received reports from the Joint Leadership Council of Veterans Service Organizations, the Veterans Services Foundation, and the Department of Veterans Services
- Received reports from the standing committees of the BVS.
  - The BVS Cemeteries Committee reported that carryover funds from FY08 were used to purchase a full sized backhoe for the Virginia Veterans Cemetery, Amelia.
  - However, both state cemeteries continue to experience a severe shortfall in funding for equipment replacement.
    - The Virginia Veterans Cemetery, Amelia has unmet equipment replacement needs totaling approximately: \$96,000 in FY10, \$25,000 in FY11, and \$63,000 in FY12.
    - The Albert G. Horton, Jr. Memorial Veterans Cemetery has unmet equipment replacement needs totaling approximately: \$29,000 in FY10, \$43,000 in FY11, and \$21,000 in FY12
  - The Albert G. Horton, Jr. Memorial Veterans Cemetery has two unfilled employee positions: one grounds and one administrator due to funding restraints.
    - The numbers of burials at the Horton Cemetery has increased significantly each year for the past two years and is expected to increase again this year. However, the cemetery cannot increase its staffing levels due to lack of funding.

The BVS adopted the following meeting schedule for the remainder of 2009 and the first part of 2010:

- Wednesday, April 22
- Wednesday, July 15
- Wednesday, October 28
- Monday, January 11, 2010

The April 22 BVS meeting will be held at the American Legion Building in Richmond.

Respectfully submitted,

Paul E. Galanti  
BVS Chairman

**ATTACHMENT 2**  
**VETERANS SERVICES FOUNDATION**  
**REPORT TO**  
**JOINT LEADERSHIP COUNCIL OF VETERANS SERVICES ORGANIZATIONS**  
**March 25, 2009**

The Veterans Services Foundation (VSF) Board of Trustees met on March 4, 2009. The meeting:

- (1) Received Standing Committee Reports.
- (2) Reviewed Foundation fund raising conducted during FY09.
- (3) Approved Bylaws changes setting forth DVS and VSF relations, clarifying the responsibilities of the Finance Committee, and specifying the duties of the Foundation Executive Director.
- (4) Approved the Veterans Services Fund Quarterly Report new format and contents for submission to the Commissioner.
- (5) Approved a Memorandum of Understanding (MOU) between DVS and VSF.
- (6) Appointed three non-Board volunteers to the Development Committee.

The Development Committee held two meetings (February 4, 2009 and March 4, 2009) to refine requirements specified in its Fundraising and Branding and Outreach (Public Relations) Plans. The minutes of these meetings are posted on the DVS Website and Commonwealth Calendar.

The Finance Committee held two meetings (February 26, 2009 and March 4, 2009). The minutes of these meetings are posted on the DVS Website and Commonwealth Calendar.

The Foundation Board Chairman mentioned that he and Commissioner Burgess, along with Steve Combs and Jack Hilgers, met with the Secretary of Public Safety on December 16, 2008 and discussed DVS-VSF relations. At that meeting it was determined that an MOU between the two agencies would be appropriate. A team from both agencies worked out the details of the MOU. The MOU was signed by the Commissioner and VSF Board of Trustees Chairman on March 4, 2009. The MOU shall be an attachment to the VSF Trustees Bylaws.

Foundation fund raising for the Virginia Wounded Warrior Program (VWWP) had reached about \$78,000 at the time of the meeting

The next Board meeting is scheduled for May 6, 2009. The meeting will be held at the Sitter & Barfoot Veterans Care Center in Richmond. Items for the next meeting may include: (1) adoption of FY10 budgets for the care centers, cemeteries, and Virginia Wounded Warrior Program; (2) report on progress of clarifying Fund administration and adoption of new policies associated therewith, (3) review fund raising program progress, (4) preparation for election of Board officers.

Respectfully submitted,

Frank Wickersham  
VSF Chairman

## **ATTACHMENT 3**

### **DEPARTMENT OF VETERANS SERVICES REPORT TO JOINT LEADERSHIP COUNCIL OF VETERANS SERVICE ORGANIZATIONS March 25, 2009**

- State Budget Reductions – Governor’s Introduced Budget (December 17, 2008)
  - All state agencies were required to submit 5, 10, and 15 percent reduction plans
  - DVS goal was to minimize cuts in direct services to veterans
  - The DVS General Fund budget was reduced by \$586,689 in FY09 and \$596,380 in FY10 (7% of DVS General Fund Budget)
  - Some of the impact to DVS services include:
    - Four (4) vacant benefit services positions will remain unfilled
    - Layoff one (1) administrative position
    - Eliminate two (2) wage positions devoted to community outreach and workforce development
    - Reduced support services for contracts, procurement, and capital projects
    - Reduced funding for TurboVet (\$50,000 vs. \$100,000)
    - Reduction of \$27,922 in the amount of community grant funds available under the Virginia Wounded Warrior Program
  - These cuts are on top of reductions of \$288,236 in FY08 and \$38,642 in FY09
- State Budget Reductions – General Assembly Approved Budget (February 28, 2009)
  - Automated system for the electronic preparation of veterans’ disability claims (aka TurboVet)
    - \$50,000 restored to FY09 budget
    - An additional \$100,000 appropriated for FY10 to continue development
  - No further cuts to DVS budget
- DVS/VSF Legislation – 2009 General Assembly
  - HB2199 (Delegate Watts) – Provides that a member of the Board of Trustees of the Veterans Services Foundation may be removed by the appointing authority for that member. Currently any member may be removed by the Governor regardless of the appointing authority.
  - HB2639 (Delegate Jones) – Exempts from the mandatory disclosure provisions of the Freedom of Information Act (i) personal information contained in the Veterans Care Center Resident Trust Funds concerning residents or patients of the Department of Veterans Services care centers and (ii) records maintained in connection with fundraising activities by the Veterans Services Foundation to the extent that such records reveal the address, electronic mail address, facsimile or telephone number, social security number or other identification number appearing on driver’s license, or credit card or bank account data of identifiable donors, except that access shall not be denied to the person who is the subject of the record. The bill provides, however, that it shall not be construed to authorize the withholding of records relating to the amount, date, purpose, and terms of the pledge or donation, or the identity of the donor. Nor does the exclusion provided

by the bill apply to protect from disclosure (i) the identities of sponsors providing grants to or contracting with the foundation for the performance of services or other work or (ii) the terms and conditions of such grants or contracts.

- Virginia Wounded Warrior Program
  - Grant requests currently being reviewed. Community funds distribution to begin ASAP
- Sitter & Barfoot Veterans Care Center (SBVCC)
  - SBVCC is now set up to receive the U.S. Department of Veterans Affairs (VA) reimbursement
  - SBVCC Addition of up to 80 beds is ranked #71 on the VA's Priority List of Pending State Home Construction Grants for FFY09
- Virginia Veterans Care Center (VVCC)
  - VVCC is in the early stages of two capital improvement projects:
    - Expansion and resurfacing of the VVCC parking lot to accommodate the increased number of visitors to the facility
    - Improvements to the facility's delivery area to provide greater turnaround space for trucks. This will speed deliveries of supplies, food, and other material
- Hampton Roads Veterans Care Center
  - New care center of up to 240 beds is ranked #72 on the VA's Priority List of Pending State Home Construction Grants for FFY09
- Benefits
  - In FY08, the VA Roanoke Regional office adjudicated 12,318 claims submitted by DVS on behalf of Virginia veterans. Over 63% of the claims were approved, and over \$28 million in retroactive payments were awarded
- Cemeteries
  - Albert G. Horton, Jr. Memorial Veterans Cemetery: 591 burials in FY08
  - Virginia Veterans Cemetery, Amelia: 213 burials in FY08
  - Virginia Veterans Cemetery, Dublin:
    - Deed transfer ceremony was held on September 22. Governor Kaine, Congressman Boucher, Senator Edwards, other state and local officials, and many members of the veterans community were in attendance.
    - Architect selected in October
    - Expected VA construction grant is \$7.8 million
- State Approving Agency for Veterans Education and Training
  - As of June 30, 2008, there were 846 Virginia facilities approved to provide education and training to eligible veterans and their dependents. This is an increase of 71 facilities from last year
  - In FY07, over 21,000 veterans used their G.I. Bill benefits at a post-secondary education facility in Virginia
  - These benefits totaled almost \$136 million

## **ATTACHMENT 4**

Joint Leadership Council of Veteran Service Organizations  
Meeting: March 25, 2009  
Automated Veterans Benefits Claims Process RFI Summary Sheet

### **Who we are**

***Tim Bass of Bass' Emprise, LLC*** ... A privately owned, registered Virginia small business that specializes in driving operational change, launching programs and improving performance by aligning operational plans and activities to an organization's strategic intent. Bass' Emprise brings significant private and public sector experience and its methodology emphasizes Needs Discovery, Resource Assessment, Business Case Development, Internal/Media/PR Communications and (action-based) Implementation Planning.

***Jeff Gregoire of EquaTerra, Inc.*** ... A privately owned business based in Houston, TX. EquaTerra has advisors world-wide that specialize in Business Process Transformation, Delivery Model Assessments, Sourcing Strategies, Service Management Programs, Service Level Negotiation, and IT Governance. EquaTerra provides strong public and private sector metrics and cost benchmarking data to enable the creation and implementation of best-in-class Service Level Agreements (SLAs).

### **Why we are here**

***The Problem*** ... Complex laws, with entitlements linked to rigorous documentation and proof of eligibility make the process of developing and filing a disability claim with the VA time-consuming, complicated and confusing. VA adjudication is strict and approved claims take a year (on average) to process. If, in fact, data omissions or errors exist and a claim is denied, it can turn into an appeal process that can take several years to complete. Simply put, claim accuracy is an important issue. With 800,000 veterans in Virginia (112,000 of which are getting benefits currently) the burden of the increasing claims workload on DVS staff is significant. Amplified by the continuing need for redundant data entry and old technology that does not provide an end-to-end (i.e. DVS-to-VA) workflow, the current claims preparation, review and processing situation within DVS will continue to be labor intensive, costly and sluggish. Things need to change.

***The Dialog*** ... An automated system for the electronic preparation and submission of veterans' disability claims will simplify the process of developing a claim, resulting in claims that are more complete, more accurate, and present the necessary supporting information in a clear and consistent manner. This will provide for faster ratings decisions by the VA, higher initial approval ratings (fewer appeals), Virginia veterans receiving their disability compensation checks sooner, provide DVS with a cost-effective way to serve more veterans within current human resource levels.

### **What happens next**

**The Market** ... It is time to consult the market to determine the range of solutions it may offer that can take the sting out of the current complex, labor-intensive and sluggish claims process. This is the Request for Information (RFI) process we are about to perform and it will result in some very useful learning regarding how the market may approach re-engineering and automating the acts of claim *creation, maturation* and *submission*.

**RFI Stages** ... We will execute this RFI process in three stages (total duration approximately 3 months).

- RFI Creation – Leverage existing DVS materials and knowledge, conduct interviews/surveys where necessary, build and issue the RFI.

***Deliverable: Completed RFI that is “tuned” to solicit the broadest possible market response in terms of vendor tools, approach and methodology. The RFI will contain relevant major claims process and systems requirements. All appropriate reviews/approvals by procurement, DVS and VEAP (Commonwealth legal counsel if necessary) will be obtained.***

- RFI Execution – Respond to market inquiries, form RFI evaluation team, create evaluation criteria and schedule, distribute vendor responses as appropriate to evaluation team members.

***Deliverable: Report to DVS and VEAP management detailing vendor Q&A interactions, procurement staff concerns and issues (if any), RFI evaluation team membership, list of distributed vendor materials and recipients, specific evaluation schedule to be followed.***

- RFI Evaluation – Evaluation of responses, Q&A exchanges with vendors, proof-of-concepts, identify three best fit responses.

***Deliverable: Report to DVS and VEAP management summarizing the evaluation team’s position on (rating for) each vendor response and identification for the three best fit responses (with rationale details). Report will also include any supplementary observations and concerns from the evaluation team. It is envisioned that DVS and VEAP management would then leverage this final deliverable to determine if a formal project should be “chartered” and funding pursued.***

Bass’ Emprise, LLC in partnership with EquaTerra, Inc.



**ATTACHMENT 5**

# **Department of Virginia, Inc**

## **MARINE CORPS LEAGUE**

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JLC Memo for the Record re: Missing in America Project Meeting, 16 February 2009

On 16 February, 2009, Bruce Steeley, JLC; Vince Burgess; Steven Combs and myself, met with Michael Rorrer, Director of the Virginia Funeral Directors Association, and staff.

This meeting reviewed JLC/DVS Point Paper, re: MIAP, 15 October 2009 and State Funeral Director's Requirements.

Basically, the MIAP has come to a successful beginning. The DVS has determined through Senior Assistant General Attorney Don Ferguson that additional legislation is not required for the state to receive unclaimed cremains from funeral homes. The referenced meeting with the Funeral Directors Association reviewed and confirmed this.

At this time the DVS is preparing a Memo of Understanding (MOU) that will set the ground rules for the turn over, transportation, and internment of these unclaimed cremains. The MOU will include: the Virginia DVS, the National Veterans Cemeteries in Quantico and Culpeper, the Missing in America Project (MIAP), the Virginia Funeral Directors Association, and other interested parties.

Basically I see the plan is to have funeral homes submit lists of cremains to DVS for identification of veterans. Once a veteran is identified, his cremains will be turned over to a DVS burial representative and transported to a cemetery. The MIAP and a VSO will be notified and a military service conducted.

Semper Fidelis

John C. Bonnell, JLC  
MCL Department Legislative Officer

2/24/2009

## **ATTACHMENT 6**

### **These courts give wayward veterans a chance**

The first veterans court opened last year in Buffalo, N.Y.; its success stories have led to more across the country.

By Nicholas Riccardi  
Los Angeles Times  
March 10, 2009

Reporting from Tulsa, Okla. — U.S. military veterans from three decades pass through Judge Sarah Smith's courtroom here, reporting on their battles with drug addiction, alcoholism and despair. Those who find jobs and stabilize their lives are rewarded with candy bars and applause. Those who backslide go to jail.

Smith radiates an air of maternal care from the bench. As the veterans come before her, she softly asks: "How are you doing? Do you need anything?" But if a veteran fails random drug tests, she doesn't flinch at invoking his sentence. She keeps a drill sergeant's cap in her office.

Her court is part of a new approach in the criminal justice system: specialized courts for veterans who have broken the law. Judges have been spurred by a wave of troops returning from Iraq and Afghanistan, battling post-traumatic stress disorder and brain injuries and stumbling into trouble with the law. But advocates of the courts say they also address a problem as old as combat itself.

"Some families give their sons or daughters to service for their country, and they're perfectly good kids. And they come back from war and just disintegrate before our eyes," said Robert Alvarez, a counselor at Ft. Carson in Colorado who is advocating for a veterans court in the surrounding county. "Is it fair to put these kids in prison because they served and got injured?"

The few veterans courts in the nation are modeled on drug courts that allow defendants to avoid prison in exchange for strict monitoring. Most are only a couple of months old, and it is difficult to track their effectiveness, but the results from the first court, which opened in Buffalo, N.Y., in January 2008, are striking.

Of the more than 100 veterans who have passed through, only two had to be returned to the traditional criminal court system because they could not shake narcotics or criminal behavior, said Judge Robert Russell. That is a far lower rate of recidivism than in drug courts.

"It's the right thing to do for those who have made a number of sacrifices for us," Russell said. "If they've been damaged and injured in the course of their service . . . and we can help them become stable, we must."

There are no comprehensive statistics on how often veterans get in trouble with the law, and the majority never become entangled with the legal system. But psychiatrists and law enforcement

officials agree that the traumas of combat can lead to addiction and criminality.

Studies have shown that as many as half of the troops returning from Iraq and Afghanistan suffer post-traumatic stress and other disorders, and mental health is the second-most treated ailment for returning veterans in the Department of Veterans Affairs system.

Since Russell's court started, veterans courts have opened in Orange and Santa Clara counties in California; Tulsa, Okla.; and Anchorage. Pittsburgh, southern Wisconsin, Phoenix and Colorado Springs, Colo., are opening or considering new courts this year. Some in Congress have proposed a federal program to help spread veterans courts across the country.

Most veterans courts admit only nonviolent felony offenders, though some include violent crimes. Defendants are required to plead guilty to their crimes.

In exchange for a suspended sentence that can include prison time, they must consent to regular court visits, counseling and random drug testing. Should they waver from the straight and narrow, their sentence goes into effect.

Orange County Superior Court Judge Wendy Lindley started her veterans court in November after a young Iraq war veteran on her docket died of a drug overdose. "It was horrible," she said.

As in most of the nation's nascent veterans courts, many of the defendants in Lindley's court served in the Vietnam or Persian Gulf wars. But she has seen a few Iraq war veterans, all of whom had clean histories before joining the military but started getting into trouble after they returned.

One of them is Carlos Lopez, 26, who returned to Orange in 2004 after a four-year stint in the Marines and struggled to readjust to civilian life.

Haunted by memories of friends who died in Iraq, he was prescribed antidepressants, fell in with a bad crowd and started using cocaine. He was convicted of a possession charge in 2005. In 2007, Lopez was arrested for drunk driving, a violation of his probation. That's how he landed in Lindley's courtroom.

"It's been a morale booster for me that there are so many people in the legal system who are there to help me," said Lopez, a construction estimator.

Colorado Springs has been distressed by a number of cases involving soldiers from nearby Ft. Carson who have returned from Iraq only to get into legal trouble. Soldiers from one brigade alone have been charged in eight homicide cases in the last two years.

Alvarez, a therapist with the Army's Wounded Warrior Program, recalled some of his more serious cases: a warrant officer who choked his dog to death in front of his young children; a soldier who fought violently to pry a shotgun from his wife's hands so he could kill himself.

"What I keep finding is a pretty normal person, a pretty happy-go-lucky human being who'd go

off to war and come back broken," said Alvarez, a former Marine.

Another ex-Marine teamed up with a seasoned court administrator to open the veterans court in Tulsa, Okla. After hearing of the Buffalo court, the two did some quick research on their local population. They found that Oklahoma has among the most veterans of any state.

Then, Matt Stiner, now an aide to the Tulsa mayor, went to local posts of the American Legion and Veterans of Foreign Wars. Over beers and shots of whiskey, he persuaded members to volunteer as counselors and mentors for the court. He knew that veterans would be helped by "the camaraderie of being a veteran."

"When I was in the Marine Corps, we talked about stuff," said Stiner, who left the Marines in 2004 after a tour in Iraq. "Now that I'm out, that's gone. There's a lot of isolation."

Being in a courtroom full of veterans makes a difference to Ira Banks, 60, a Vietnam veteran who was arrested on a charge of marijuana possession. "We're not in with the rest of the crowd, who are just different than we are," he said.

Judge Smith said she had to be extra solicitous of the veterans because they try to hide their problems under a stoic exterior.

"The military personnel, they're less likely to ask for help, they're more likely to tell me everything's fine," she said.

Smith sent Paul Haggerty to jail a couple of times early on. Now the former paratrooper is clean and a veterans court success story.

Haggerty, 37, said he dislocated a shoulder and inhaled poison gas in training exercises in the U.S. and Kuwait during the Gulf War. The VA gave him painkillers of escalating strength, and he gradually became addicted. He would run through his 30-day supply of OxyContin in five days and go to the streets to buy more.

Last year he became so desperate for cash that he stole lawn mowers from outside Home Depot and Lowe's. That landed him in Smith's drug court, and he went with her when she opened the veterans court in December.

The difference between the two courts is striking, Haggerty said.

"In drug court, the atmosphere is down. People don't want to get sober, they're there to stay out of prison," he said. "In veterans court, you have a sense of pride. You don't feel like you're going through this alone."

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<http://www.latimes.com/news/nationworld/nation/la-na-veterans-court10-2009mar10,0,5067070.story>

## When the war comes back home

When veterans of wars in Iraq and Afghanistan bring their troubles home, police and judges often are the first to deal with them.

**By Jill Carroll** | *Staff writer of The Christian Science Monitor*  
from the July 11, 2008 edition

During 21 years in the Marine Corps, Jeff Johnson saw young adults walk into his recruiting office and newly minted marines walk out of boot camp just a few months later. Now working at the other end of that pipeline at the Wisconsin Department of Veterans Affairs, he sees far different, troubling changes in those coming back from Iraq and Afghanistan.

"The changes were dramatic. I'd never seen these kinds of changes in people," says Mr. Johnson of those wrestling with the mental and physical trauma of war.

The once upstanding service members were getting arrested for domestic violence and bar fights, and being pursued by police as they raced along streets at 100 miles per hour – often with drugs or alcohol involved – seeking to replicate the adrenaline rush of combat or to commit suicide by motorcycle or police bullets.

He was moved to action, creating a presentation about the mental injuries of war for police and other first responders, usually the ones called when a veteran hits bottom.

A year later, he's delivered his message more times than he can count and he's been in demand from police departments across the country, hungry to prepare for what they worry is a coming surge of mentally injured veterans.

"A lot of them were getting in trouble with police. If [the police] know what resources are out there then they can funnel them into that," says Johnson, who has one son who is an Iraq veteran and another entering the service.

Police departments, veterans groups, and individuals from California to Colorado to Massachusetts are taking similar steps. At the other end of the criminal justice system, a "treatment court" in Buffalo, N.Y., dedicated to veterans opened this year.

The flurry of action is spurred by numbers like these: Some 40,000 cases of post traumatic stress disorder (PTSD) were diagnosed by the military among troops deployed to Iraq and Afghanistan from 2003 to 2007. The Rand Corp. estimates 300,000 troops are suffering from PTSD from those wars. Many mental-health experts expect those trends to continue, or even worsen, as the wars go on.

Police Sgt. George Masson in Riverside, Calif. – home to many military families and near several bases – shares those concerns. When he began his career in 1980, he encountered many troubled Vietnam War veterans. Almost 30 years later, those early experiences weigh on him.

"This is just the tip of the iceberg," says Sergeant Masson. "We're going to be paying for this for a while."

He helped organize a large, multi-agency training session this year focused on handling troubled veterans. Marines from nearby Camp Pendleton role-played such scenarios as hostage taking and suicide attempts. They invited mental health experts and combat veterans who suffered from traumatic stress to lecture.

Meanwhile, the San Francisco Police Department's crisis intervention team has added a segment on veterans to its training, says public information officer Sgt. Wilfred Williams.

Updated statistics are few, but a 2004 US Department of Justice report found 10 percent of all state and federal prisoners had served in the military, mainly during the Vietnam era. But about 4 percent were Iraq and Afghanistan veterans.

In Colorado Springs, which neighbors the Army's Fort Carson, police have attended town hall meetings with military and community members to discuss how to help returning soldiers. The urgency was underscored last year when a suicidal soldier led police on a manhunt.

Police pursued the man in a long car chase after he violated a restraining order, tracking him by his cellphone as he fled, says community relations officer Sgt. Creighton Brandt. Finally, a police detective called the man's cellphone and convinced him to pull over and surrender.

"The suspect admitted he was suicidal and had contemplated suicide by cop several times that day and suffered from PTSD from serving in Iraq," said Sergeant Brandt reading from an incident report.

Across the country, Norfolk County Massachusetts District Attorney William Keating held a 2005 summit with police departments, veterans groups, and clergy to discuss support for returning veterans. The result was a video for first responders, describing traumatic stress and how it might affect veterans in their communities. In the three years since, it has racked up some 8,500 hits on YouTube, and Mr. Keating's office has had requests for copies from across the country.

Presiding over "treatment courts" in Buffalo for mental illness and drug addiction, Judge Robert Russell began seeing lots of veterans recently – some 300 last year. So he created a treatment court just for them that opened this year, the first of its kind.

Treatment courts first appeared in 1989 to address causes of crime rather than just punishing a particular incident. The courts have a therapeutic feel and the focus is on keeping defendants on track with treatments and medication.

Nationwide, nearly 70 percent of prisoners will end up back in jail, according to Judge Russell. But defendants in drug abuse treatment courts have a recidivism rate ranging from 13 to 25 percent nationally, says Russell. Of the over 40 cases he has seen since the veterans court began in January, he struggled to think of one that has returned to crime.

Most of the veterans that come before him are charged with nonviolent offenses or, occasionally, domestic violence or a bar fight. As his court gains more attention, Russell says he's gotten calls from judges across the country.

The goal is to avoid cases like Marine Corps Staff Sgt. Travis Twiggs, deployed to Iraq four times. He was already unusually irritable and unable to sleep after his second deployment, according to an article he wrote of his struggles with PTSD in a January issue of the Marine Corps Gazette.

After losing two marines from his platoon during his third deployment, his symptoms worsened and he began a long battle to get better. The article detailed his struggle to heal, overcoming fears he was a "weak Marine," imploring others to seek help as he had. But just five months later, police were chasing him and his brother as they sped through the Arizona desert in a stolen car. He finally halted the car then killed his brother and himself.

In his article he had written: "We have got to make our Marines and sailors more aware of PTSD before they end up like me and others."

<http://www.csmonitor.com/2008/0712/p02s01-usmi.html>

### **ATTACHMENT 7 – JLC 2009 Legislative Objectives Summary (as of 3/25/09)**

<b>JLC Priority</b>	<b>Subject</b>	<b>Bill/Resolution</b>	<b>Result</b>	<b>Budget Amendment Request?</b>	<b>Result</b>
<b>1</b>	<b>Automated Claims System</b>	HB1732 (Cox)	Passed House 97-Y 0-N Passed Senate 40-Y 0-N Approved by Governor - Chapter 62 (effective 7/1/09)	Yes - Item 425 #2h (Cox) and Item 425 #1s (Petersen)	\$50,000 restored in FY09 (for a total of \$100,000). Additional \$100,000 for FY10
<b>2</b>	<b>Interstate Compact</b>	HB1727S2 (Cole)	Passed Senate 39-Y 0-N Passed House 97-Y 0-N	Yes - Item 135 #1h (Cole)	\$200,000 and 1 position in FY10
<b>3</b>	<b>Burial Vaults</b>	SB1512 (Edwards)	Passed Senate 40-Y 0-N Left in House Appropriations	Yes - Item 426 #1s (Edwards)	Not approved by Senate
<b>4</b>	<b>Military Family Relief Fund</b>	HB2414 (Bouchard)	Left in House Finance	N/A	N/A
		HB2512 (Marsden)	Left in House Finance	N/A	N/A
<b>5</b>	<b>Tax relief for 100% disabled veterans</b>	HJ648H1 (O'Bannon)	Passed House 97-Y 0-N Passed Senate 40-Y 0-N	N/A	N/A
		HJ669 (Janis)	Incorporated into HJ648	N/A	N/A
		SJ275S1 (Puller/Reynolds)	Passed Senate 37-Y 0-N Passed House 99-Y 0-N	N/A	N/A
		SJ304 (Stuart)	Incorporated into SJ275	N/A	N/A
<b>6</b>	<b>Homeless Veterans Study</b>	HJ727 (Bouchard)	Left in House Rules (However, Delegate Cox, the JLARC Chairman, has sent a letter to the JLARC Director, requesting that JLARC complete the study and report by 6/30/10)	N/A	N/A



## **ATTACHMENT 8**

§ 2.2-2682. Powers and duties.

A. The Council shall have the following powers and duties:

1. Advise the Department of Veterans Services regarding (i) methods of providing support for ongoing veterans services and programs, and (ii) addressing veterans issues on an ongoing basis;
2. Recommend issues that may potentially impact veterans of the armed forces of the United States and their eligible spouses, orphans, and dependents;
3. Advise the Department of Veterans Services and the Board of Veterans Services on matters of concern to Virginia-domiciled veterans and their eligible spouses, orphans, and dependents;
4. Promote and support existing veterans services and programs;
5. Recommend and promote implementation of new efficient and effective administrative initiatives that enhance existing veterans services and programs or provide for necessary veterans services and programs not currently provided; and
6. Maintain a nonpartisan approach to maintaining and improving veterans services and programs in the Commonwealth.

B. The chairman shall report to the Commissioner and the Board of Veterans Services the results of its meetings and submit an annual report on or before November 30 of each year.

C. The Council may apply for funds from the Veterans Services Foundation to enable it to better carry out its objectives. The Council shall not impose unreasonable burdens or costs in connection with requests of agencies.

(2003, cc. 657, 670; 2008, cc. 467, 768.)

## **ATTACHMENT 9**

### **Discussion Document**

*Prepared by:* Julie Gifford, Regional Quality of Life State Liaison, Defense State Liaison Office

*Subject:* Expand Unemployment Compensation Eligibility for Trailing Military Spouses

1. **OBJECTIVE:** For the Commonwealth to recognize that a move mandated by military orders is not ‘voluntary’ and therefore, the trailing military spouse should be eligible for unemployment compensation (UC).
2. **BACKGROUND:**
  - Frequent moves required of military families add unique financial pressures, as spouses routinely lose income during such moves.
  - Statutes and/or policies of some states view a spouse leaving a job due to a military move as a ‘voluntary’ separation when, in fact, they have no choice in the matter.
  - Due to the financial hardship, families are living separately in order for both spouses to secure employment.
3. **DISCUSSION:**
  - Forty-four states currently offer some sort of unemployment compensation for military spouses, more than doubling the number since 2004. The 6 states that do not offer any sort of unemployment compensation for trailing military spouses have a relatively small population of active duty military spouses, except Virginia. These states and the number of military spouses include: VT (71), SD (1,679), UT (2,669), ND (3,116), OH (4,432) and VA (66,389).
  - The Department of Defense (DoD) currently spends \$46 billion (in payroll alone) in the Commonwealth of Virginia, one of the highest dollar amounts in the nation.
  - From August 07 – July 08, VA paid out just under \$380 million in unemployment benefits. The DoD estimates the costs for adding trailing military spouses will be \$1.2 million and the Virginia Employment Commission (VEC) estimates are even lower, around \$700,000 per year. The cost to the unemployment comp pool will be less than three tenths of 1% of what Virginia currently pays out in unemployment compensation.
  - With the exemption clause, the individual employer will not be penalized if they hire a military spouse who leaves due to military orders. The money comes out of the pool that all employers pay into. According to VEC, the average cost to an

employer will be about 80 cents per employee, per year. Therefore, an employer with 5 employees may see a total increase of \$4 per year. Is this really too much to ask to assist our military families in Virginia?

- Some argue that if the Commonwealth offers this to trailing military spouses then who's next? That is up to the legislature to decide if and when that decision comes before it. The only people who can decide if and who "is next" are legislators, as it should be.
- Other arguments include: raising the costs on the employers, the potential need for the Commonwealth to borrow \$232 million from the federal government to pay for UC benefits, and the average tax on jobs having potential to increase in the years ahead. Whether the Commonwealth needs to find resources for hundreds of millions of dollars for the UC fund generally is really not relative when discussing the miniscule amounts to fund military spouse eligibility (three-tenths of one percent – or less, according to VEC). Every other state in America with any significant military presence does not have any hesitancy to provide eligibility for military spouses.